

# North Carolina Balance of State Continuum of Care

Fair Housing Policy Training  
October 15, 2024  
10 AM



NCCEH

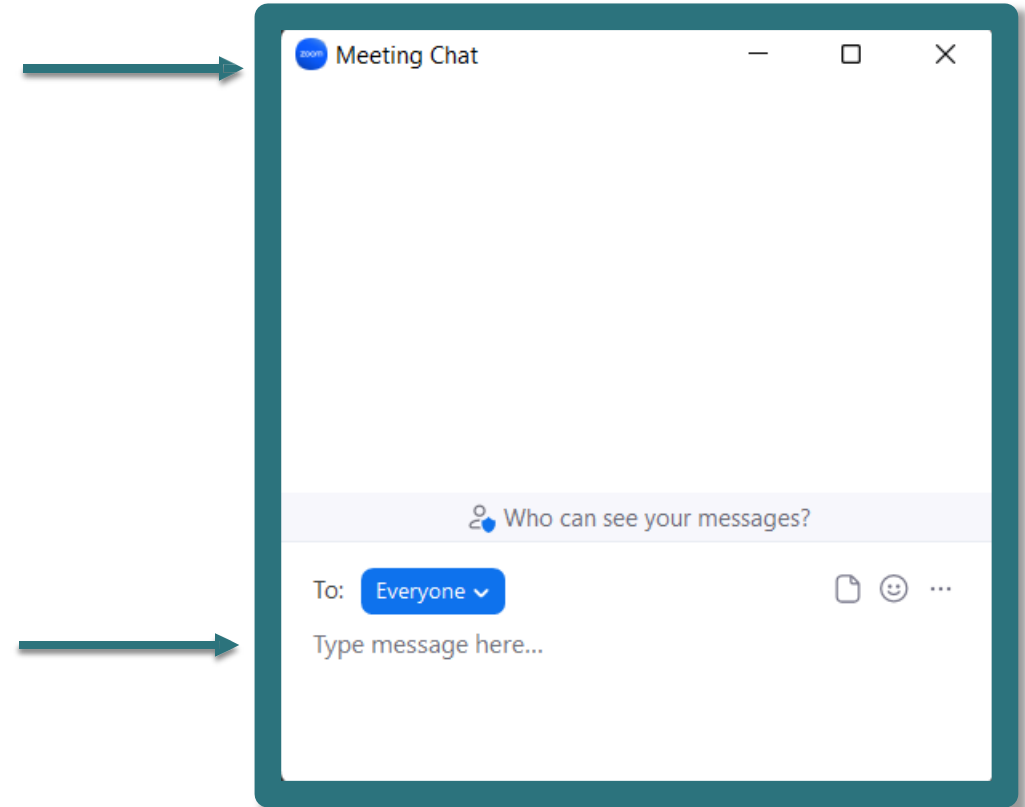
# Welcome

Reminders:

Your line is muted.

We will unmute the line during Q&A pauses.

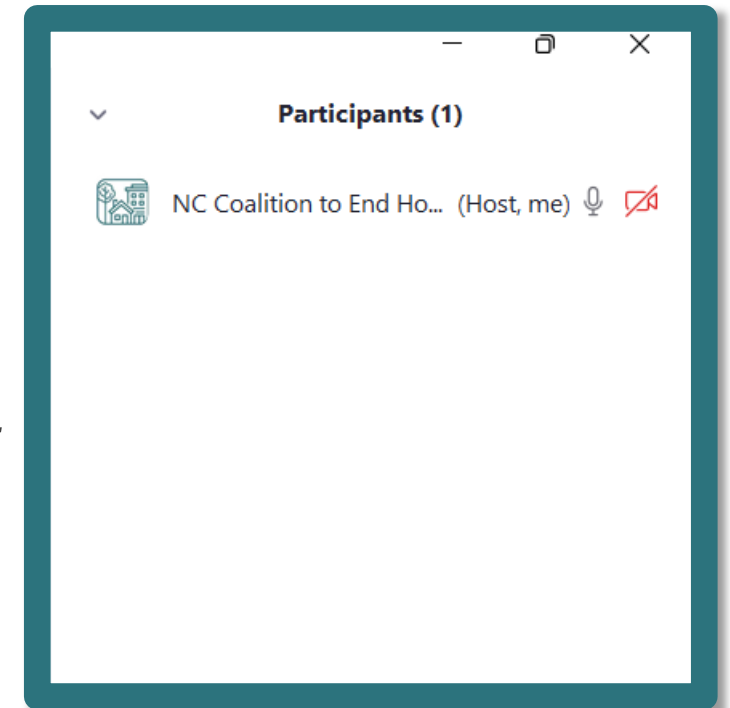
The chat box is available to use anytime.



# Training Logistics

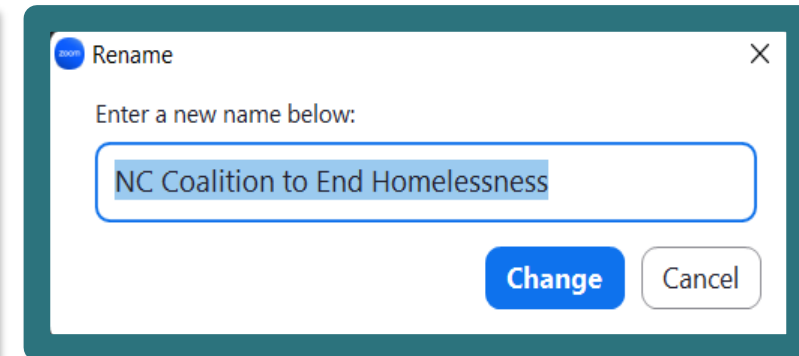
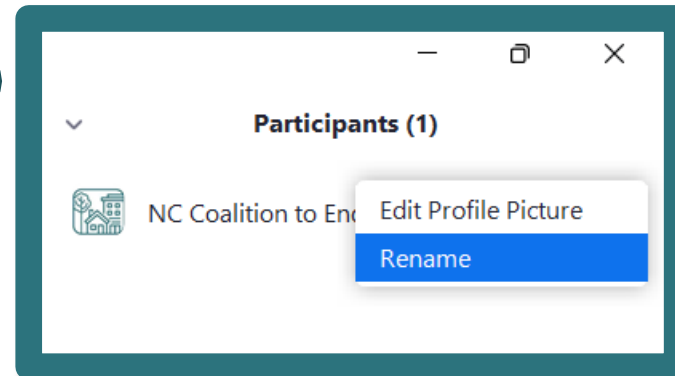
- We will not conduct Roll Call for attendees.
- All participants should enter their full names, so we can document their participation.
- We are recording today's training.

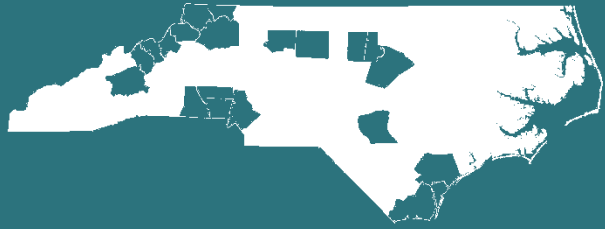
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*How to change your screen name:*

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# Agenda

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- Fair Housing Policy Overview
- Affirmative Marketing & Outreach
- Reasonable Accommodation & Modification Requests
- Filing Fair Housing Complaints
- Resources & Next Steps







# Fair Housing Policy Overview

# The US Fair Housing Act & its implementing regulations protect people from housing discrimination.

The Fair Housing Act (*Title VIII of the Civil Rights Act of 1968; 1988 Fair Housing Amendments Act; Title II of the Americans with Disabilities Act of 1990; Violence Against Women Act of 1994*):

- Prohibits discrimination against people in seven protected groups:
  - Race
  - Color
  - National origin
  - Religion
  - Sex (including actual/perceived gender identity & sexual orientation)
  - Familial status
  - Disability
- Applies to all housing-related situations:
  - Sale of housing
  - Rental of housing
  - Financing housing





# Why does the CoC have a Fair Housing Policy?

HUD requires all CoCs to affirmatively further Fair Housing in compliance with the U.S. Fair Housing Act & its implementing regulations.

- Promote fair housing choice
- Eliminate disparities in housing
- Foster inclusive communities

Under the FY24 CoC Program NOFO, HUD highlighted new AFFH responsibilities for CoCs (specifically CE systems) that we must address for the first time in the CoC Application.

The CoC has chosen to implement a new Fair Housing Policy & update its written standards to address these requirements & ensure CoC stakeholders understand their responsibilities.



# To whom does the new CoC Fair Housing Policy apply?

The new CoC Fair Housing Policy applies to all programs that work with people experiencing or at-risk of homelessness to secure & maintain permanent housing. These programs include:

- Street outreach
- Emergency shelters
- Rapid rehousing
- Permanent supportive housing
- Coordinated entry
- Public housing authorities
- Other human service programs working on housing-related issues

# What does the new CoC Fair Housing Policy address & include?

## The Fair Housing Policy:

- Provides an overview of the U.S. Fair Housing Act, defining the protected classes.
- Defines & outlines affirmative marketing & outreach
- Outlines record-keeping requirements
- Discusses parameters for reasonable accommodation & reasonable modification requests
- Includes steps programs must take when participants face a potential Fair Housing violation
- Contains contact information for participating jurisdictions, legal services, & CoC staff to whom programs should refer or report
- Includes sample notices, logs, and forms





# Affirmative Marketing & Outreach



# **CoC stakeholders should ensure that people have choices in the types & places they want to live.**

Affirmatively marketing & outreach allows providers helping people experiencing homelessness to find the types of housing & the locations in which they want to live.

- Attract eligible participants that would not otherwise know about or be least likely to apply
- Engage participants in finding housing, presenting them with options in a variety of locations that meet their needs
- Engage property providers & other community stakeholders, educating them on the services the program provides & Fair Housing laws that often prevent people experiencing homelessness from accessing permanent housing

# What does this mean for you as a provider?

Most programs are likely already meeting the basic requirements of Affirmative Marketing & Outreach.

- The policy formalizes these activities & requires broader understanding of Fair Housing activities.
- Under the policy, agency leadership & program staff should:
  - Understand the Affirmative Marketing & Outreach plan in their participating jurisdiction & ensure current & future activities adhere to the Consolidated Plan
  - Actively engage populations least likely to ask for help with housing & create an outreach plan to ensure protected populations are accessing housing services
  - Actively engage the community & property providers & advocate for equitable access to permanent housing resources
  - Post the Fair Housing Notice in intake areas of facilities &/or have copies to provide to enrolled participants so they understand their rights & how to access help when faced with a Fair Housing violation
  - Use the agency website, social media accounts, & other media opportunities to engage people least likely to ask for help & community members to understand their rights & obligations under Fair Housing
  - Log all Affirmative Marketing & Outreach Strategies that can be shared with participating jurisdictions & the CoC during Consolidated Plan update planning



EQUAL HOUSING OPPORTUNITY

We do Business in Accordance with the Fair Housing Act (The Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988)

**IT IS ILLEGAL TO DISCRIMINATE AGAINST ANY PERSON BECAUSE OF RACE, COLOR, RELIGION, SEX, DISABILITY, FAMILIAL STATUS, OR NATIONAL ORIGIN**

- In the sale or rental of housing or residential lots.
- In advertising the sale or rental of housing.
- In the financing of housing.
- In the appraisal of housing.
- In the provision of real estate brokerage services.
- Blockbusting is also illegal.

Anyone who believes they have been discriminated against should talk to one of our staff members to learn about ways to file a complaint and connect to local resources for legal assistance.

We will work with you to send a complaint to the U.S. Department of Housing and Urban Development.

You can also submit a complaint on your own to the U.S. Department of Housing and Urban Development. Call (404) 331-5140 for assistance.







# Reasonable Accommodation & Modification Requests

# Programs should help participants request Reasonable Accommodations & Modifications.

Program staff will be working with people with disabilities & should be prepared to help participants request Reasonable Accommodations & Reasonable Modifications from property providers.

- Under the Fair Housing Act, all property providers must accept requests for Reasonable Accommodation & Reasonable Modifications. However, these requests can be denied based on the nature of the request. Decisions should be uniform across all people accessing units the property provider manages.
- Reasonable Accommodation requests focus on a change in rules, policies, & services that will give the participant access to housing.
- Reasonable Modification requests focus on changes to facilities that would modify the physical structure of the unit/housing to accommodate a disability.
- The Fair Housing Policy includes sample request forms & a notice of rights to share with participants.

# Programs should help participants request Reasonable Accommodations & Modifications.

The Fair Housing Policy includes sample request forms & a notice of rights to share with participants.

## **Appendix C: NOTICE OF RIGHT TO REASONABLE ACCOMMODATION AND MODIFICATION IF YOU HAVE A DISABILITY**

You have the right to reasonable accommodation and modification if you have a disability and any of the following changes would help you live here, use the facilities, or participate in programs on-site.

You can ask for these kinds of changes or reasonable accommodations:

- A change in the rule or the way we do things
- Repair or modification in your apartment, or a special type of apartment
- A change or repair to some other part of the buildings or grounds
- A change in the way we communicate with you or give you information.

With proof of a disabling condition and a reasonable request, meaning it is not too expensive or too difficult to arrange, we will try to make the changes you request.

We will give you an answer in \_\_\_\_\_ days, unless there is a problem getting the information we need or unless you agree to a longer time.

We will let you know if we need more information or verification from you or if we would like to talk with you about other ways to meet your needs.

If we turn down your request, we will explain the reasons.

You can give us more information if you think it will help us.

If you need help filling out the Reasonable Accommodation/Modification Request Form, or if you want to give us your request in some other way, we will help you do so.

You can get a Reasonable Accommodation/Modification Request Form \_\_\_\_\_.



## Appendix D: SAMPLE REASONABLE ACCOMMODATION REQUEST FORM

### REASONABLE ACCOMMODATION REQUEST FORM FOR TENANTS

Date: \_\_\_\_\_

Landlord/Property Management Company's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Dear \_\_\_\_\_,

I live in Apt./Unit # \_\_\_\_\_ at \_\_\_\_\_.

I have a disability that prevents me from: \_\_\_\_\_.

I am therefore requesting a reasonable accommodation.

I have attached a verification from \_\_\_\_\_ of my disability and the functional limitation I experience as well as the accommodation(s) I need to compensate for my disability and fully use the housing unit.

I am asking for this accommodation so that I can have full use and enjoyment of my home.

Please reply to my request in writing within the next ten (10) business days.

If you have any questions about my request, please do not hesitate to contact me.

I look forward to your response and appreciate your attention to this matter.

Sincerely, \_\_\_\_\_ [signature]

## Appendix E: SAMPLE REASONABLE MODIFICATION REQUEST FORM

### REASONABLE MODIFICATION REQUEST

Date: \_\_\_\_\_

Landlord/Property Management Company's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Dear \_\_\_\_\_,

I live in Apt./Unit # \_\_\_\_\_ at \_\_\_\_\_.

I have (or a member of my family living at this property with me has) a disability that prevents me/them from: \_\_\_\_\_.

As an accommodation for my/their disabling condition, I request your permission to \_\_\_\_\_, at my expense.

I intend to hire \_\_\_\_\_ to do the work.

\_\_\_\_\_ is willing to discuss the project with you and discuss any concerns you may have.

If you wish, I can have any changes removed when I vacate my unit.

Please respond to my request for a reasonable modification in writing within ten (10) business days.

I look forward to your response and appreciate your attention to this matter.

Sincerely, \_\_\_\_\_





# Filing Fair Housing Complaints

# **Program staff have an obligation to observe & act when property providers violate Fair Housing law.**

Program staff should have an adequate understanding when Fair Housing law may have been violated by property providers.

- Observe interactions & decision-making by property providers
- Listen to & investigate claims made by participants when applying for &/or living in housing

# Program staff should help participants file a Fair Housing complaint & connect them to resources.

Staff should talk with participants about their rights when they suspect property providers have violated Fair Housing & encourage them to file a complaint.

- Filing a complaint is up to the participant
- When complaints are not filed, programs should still record the incident & act as a mediator with the property provider on behalf of the participant when desired
- Offer to connect them to other resources, including free legal resources to discuss their options
  - NC Human Relations Commission
  - NC Legal Aid
  - Pisgah Legal Services in WNC

# Programs have three steps in filing a Fair Housing complaint.

When participants agree to file a Fair Housing complaint, programs have three steps to take under the CoC's Fair Housing Policy.

- Step 1: Assist the participant to formally file the complaint with the Department of Housing & Urban Development
- Step 2: Report the submission of a Fair Housing complaint to the Participating Jurisdiction
- Step 3: Report the submission of a Fair Housing complaint to the CoC through a Smartsheet form within 5 days
  - CoC Fair Housing Complaint Notification: <https://app.smartsheet.com/b/form/53bd6bcc72684ea997a4b3e7bb6bc85d>





# Resources & Next Steps

## Resources

The CoC's Fair Housing Policy is posted at: <https://bit.ly/4gWCobb>

Written Standards updates are posted at: <https://www.ncceh.org/bos/>

HUD Fair Housing Act Information: <https://bit.ly/3NGKOGx>

NC Human Relations Commission: <https://bit.ly/400Jqpp>

# Next steps

## Steps to take to become compliant with the CoC's Fair Housing Policy:

- Review HUD's & the NC Human Resources Commission's Fair Housing Information to better understand the federal Fair Housing Act, potential violations, & examples
- Read & understand your obligations under the CoC's Fair Housing Policy
- Train all program staff on the policy
- Discuss, plan, & implement an Affirmative Marketing & Outreach strategy & record strategies & ongoing activities
- Post the Fair Housing Notice in facilities & make copies to provide to participants when interacting outside of program offices
- Update websites to include information on Fair Housing
- Reach out to CoC staff with questions & to brainstorm ideas

# Thank you!

Reach out to us if you have any questions or need help implementing this in your agency:

(919) 755-4393

[bos@ncceh.org](mailto:bos@ncceh.org)

